

JUL 09 2004

~~JUL 06 2004~~

PTO/SB/17-10-03 Approved for use through 07/31/2006, OMB 0651-0032

Effective 07/01/2003. Patent Fees are subject to annual revision.

■ Applicant claims small entity status. See 37 CFR 1.27.

<b>TOTAL AMOUNT OF PAYMENT</b>	<b>(\$)</b> 375.00
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Application Number	10/644,500	JUL 09 2004
Filing Date	August 20, 2003	
First Named Inventor	Ross C. Terrell	TECH CENTER 1600/2900
Examiner Name	M.L. Shippen	RECEIVED
Group/Art Unit	1621	JUL 06 2004
Attorney Docket Number	26403.0004	

**METHOD OF PAYMENT** (*check all that apply*)☐ Check   ☐ Credit Card   ☐ Money Order   ☐ Other   ☐ None

■ Deposit Account: Deposit Account Number: 08-2442

Deposit Account Name: Hodgson Russ LLP

**The Director is hereby authorized to (check all that apply)**

■ Charge fee(s) indicated below

☐ Charge any fee deficiencies or credit any overpayments

☐ Charge any additional fees during pendency of this application.

☐ Charge fees indicated below, except for the filing fee to the above-identified deposit account

### FEE CALCULATION

1. BASIC FILING FEE	
<u>Large Entity</u>	<u>Small Entity</u>

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
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1001	770	2001	385	Utility filing fee	\$
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1002	340	2002	170	Design filing fee	\$
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1003	530	2003	265	Plant filing fee	\$
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1004	770	2004	385	Reissue filing fee	\$
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1005	160	2005	80	Provisional filing fee	\$
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<b>SUBTOTAL (1)</b>	<b>\$0</b>
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## 2. EXTRA CLAIM FEES FOR UTILITY/ REISSUE

[illegible]

Total Claims	/ / -20** =	/ / x	/ / =	\$
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Independent Claims / / - 3** = / / x / / =	\$
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Multiple dependent	/ / x / / =	\$
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<u>Large Entity</u>		<u>Small Entity</u>	
Fee	Fee	Fee	Fee

Code	(\$)	Code	(\$)	Fee Description
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1202	18	2202	9	Claims in excess of 20
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1201	86	2201	43	Independent claims in excess of 3
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1203	290	2203	145	Multiple dependent claim if not pa
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1204	86	2204	43	**Reissue independent claims over original patent
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1205	18	2205	9	**Reissue claims in excess of 20 and over original patent
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SUBTOTAL (2)	\$0
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SUBMITTED BY:  
Martin G. Linihan 111 Reg. No. 24,926

SIGNATURE *Walter J. Smith*

DATE: June 28, 2004 Telephone: (716) 848-1367

**FEE CALCULATION (continued)**

### 3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	\$
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	\$
1053	130	1053	130	Non-English specification	\$
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	\$
1804	920*	1804	920*	Requesting Publication of SIR prior to Examiner Action	\$
1805	1,840*	1805	1,840*	Requesting Publication of SIR after Examiner Action	\$
1251	110	2251	55	Extension for reply within first month	\$
1252	420	2252	210	Extension for reply within second month	\$210
1253	950	2253	475	Extension for reply within third month	\$
1254	1,480	2254	740	Extension for reply within fourth month	\$
1255	2,010	2255	1,005	Extension for reply within fifth month	\$
1401	330	2401	165	Notice of Appeal	\$165
1402	330	2402	165	Filing a brief in support of an appeal	\$
1403	290	2403	145	Request for oral hearing	\$
1451	1,510	1451	1,510	Petition to institute a public use proceeding	\$
1452	110	2452	55	Petition to revive - unavoidable	\$
1453	1,330	2453	665	Petition to revive - unintentional	\$
1501	1,330	2501	665	10 advance copies Utility issue fee (or reissue)	\$ \$
1502	480	2502	240	Design issue fee	\$
1503	640	2503	320	Plant issue fee	\$
1460	130	1460	130	Petitions to the Commissioner	\$
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	\$
1806	180	1806	180	Submission of Information Disclosure Statement	\$
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	\$
1809	770	2809	385	Filing a submission after final rejection(37 CFR 1.129(a))	\$
1810	770	2810	385	For each add'l invention to be examined(37 CFR1.129(b))	\$
1801	770	2801	385	Request For Continued Examination (RCE)	\$
1802	900	1802	900	Request for Expedited Examination of a design application	\$
Other fee (specify) _____					\$
*Reduced by basic filing fee paid					\$375
SUBTOTAL (3)					\$375

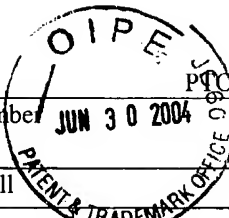
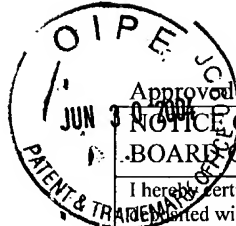
I hereby Certify that this Correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on June 28, 2004.

Martin G. Linihan  
Name

Signature \_\_\_\_\_

June 28, 2004  
Date of Signature

929237



Approved for use through 7/31/2003. OMB 0651-0031

PTO/SB/31 (06-03)

NOTICE OF APPEAL FROM THE EXAMINER TO THE  
BOARD OF PATENT APPEALS AND INTERFERENCES

Docket Number  
26403.0004

I hereby certify that this correspondence is being  
mailed with the United States Postal Service with  
sufficient postage as first class mail in an envelope  
addressed to the: Commissioner for Patents, P.O. Box  
1450, Alexandria, Virginia 22313-1450

on June 28, 2004

Signature

*Martin G. Linihan*

Typed or

Printed Name Martin G. Linihan

In re Application of Ross C. Terrell

Application Number 10/644,500

Filed August 20, 2003

For Method For The Preparation of Sevoflurane

Group Art Unit 1621

Examiner M.L. Shippen

Applicant hereby **appeals** to the Board of Patent Appeals and Interferences from the last decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 1.17(b))

\$ 330.00

- Applicant claims small entity status. See 37 CFR 1.27. Therefore, the  
fee shown above is reduced by half, and the resulting fee is:

\$ 165.00

☐ A check in the amount of the fee is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☐ The Director has already been authorized to charge fees in this application  
to a Deposit Account. I have enclosed a duplicate copy of this sheet.

- The Director is hereby authorized to charge any fees which may be  
required, or credit any overpayment to Deposit Account No. 08-2442.  
I have enclosed a duplicate copy of this sheet.

- A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

**WARNING: Information on this form may become public. Credit card information should not  
be included on this form. Provide credit card information and authorization on PTO-2038.**

I am the

☐ applicant/inventor

☐ assignee of record of the entire interest.

(See 37 CFR 3.71. Statement under 37

CFR 3.73(b) is enclosed. (Form PTO/SB/96)

■ attorney or agent of record.

Registration number 24,926

☐ attorney or agent acting under 37 CFR 1.34(a)

Registration number if acting under 37 CFR 1.34(a) \_\_\_\_\_

*Martin G. Linihan*

Signature

Martin G. Linihan

Typed or printed name

716-848-1367

Telephone Number

June 28, 2004

Date

NOTE: Signatures of all the inventors of record of the entire interest or their representative(s) are required.  
Submit multiple forms if more than one signature is required.

☐ Total of \_\_\_\_\_ forms are submitted.

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JUL 0 6 2004

Technology Center 2600

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JUL 0 9 2004

TECH CENTER 1600/2900

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